

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**CONSTELLIUM ROLLED PRODUCTS  
RAVENSWOOD, LLC**

**and**

**Cases      09-CA-255275  
              09-CA-257508  
              09-CA-257510  
              09-CA-257889**

**UNITED STEEL, PAPER AND FORESTRY, RUBBER  
MANUFACTURING, ENERGY, ALLIED INDUSTRIAL  
AND SERVICE WORKERS INTERNATIONAL UNION,  
LOCAL 5668**

**DECISION AND ORDER**

Statement of the Cases

On September 4, 2020, Constellium Rolled Products Ravenswood (the Respondent); United Steel, Paper and Forestry, Rubber Manufacturing, Energy, Allied Industrial and Service Workers International Union, Local 5668 (the Charging Party or Union); and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, subject to the Board's approval, providing for the entry of a consent order by the Board. The parties waived all further and other proceedings before the Board to which they may be entitled under the National Labor Relations Act and the Board's Rules and Regulations.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

The Formal Settlement Stipulation is approved and made a part of the record, and the proceeding is transferred to and continued before the Board in Washington, D.C., for the entry of a Decision and Order pursuant to the provisions of the Formal Settlement Stipulation.

Based on the Formal Settlement Stipulation and the entire record, the Board makes the following

**Findings of Fact**

**1. The Respondent's business**

The Respondent is a limited liability company with an office and place of business in Ravenswood, West Virginia ("the Respondent's facility") and has been engaged in the manufacture of rolled aluminum.

During the 12-month period ending July 1, 2020, Respondent, in conducting its operations described above, sold and shipped from Respondent's facility, goods valued in excess of \$50,000 directly to points outside the State of West Virginia.

At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6) and (7) of the National Labor Relations Act.

2. The labor organization involved

At all material times, the Union has been a labor organization within the meaning of Section 2(5) of the Act.

**ORDER**

Based on the above findings of fact, the Formal Settlement Stipulation, and the entire record, and pursuant to Section 10(c) of the National Labor Relations Act, the National Labor Relations Board orders that the Respondent, Constellium Rolled Products Ravenswood, LLC, Ravenswood, West Virginia, its officers, agents, successors and assigns, shall

1. Cease and desist from:

(a) Failing or refusing to bargain in good faith with United Steel, Paper and Forestry, Rubber Manufacturing, Energy, Allied Industrial and Service Workers International Union, Local 5668 (the Union) as the exclusive collective-bargaining representative of employees in the following unit (the Unit):

Those employees of the Respondent at its aluminum plant located at Ravenswood, West Virginia, as follows: all production and maintenance employees, but excluding executives, administrative and professional employees, office and clerical employees, guards, full-time first-aid and safety employees, foremen and any other supervisory employees with the authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees or effectively recommend such action.

(b) Failing and refusing to provide the Union with information that is relevant and necessary to its role as the exclusive collective-bargaining representative of the Unit.

(c) Unreasonably delaying in providing the Union with information that is relevant and necessary to its role as the exclusive collective-bargaining representative of the Unit.

(d) In any like or related manner, interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.

2. Take the following affirmative action necessary to effectuate the policies of the Act:

(a) Within 14 days of service by the Region, the Respondent will post copies of the attached notice marked as Exhibit E at its Ravenswood facility. Copies of the notice, on forms provided by Region 9, after being signed by the Respondent's authorized representative, shall be posted and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. The Respondent will take reasonable steps to ensure that the notices are not altered, defaced or covered by any other material. In the event that, during the pendency of these proceedings, the Respondent has gone out of business or closed the Ravenswood facility, the Respondent shall duplicate and mail, at its own expense, copies of the notice to all current employees and former employees employed by the Respondent at its Ravenswood facility at any time since June 1, 2019.

(b) Within 14 days of the Board's approval of this stipulation, the Respondent will provide, where it has not done so already and where such information exists, the following information, without the necessity of the Union making a new request, the information requested by the Union in the requests dated: July 18, 2019, July 24, 2019, July 31, 2019, August 1, 2019, September 6, 2019, and January 15, 2020.

(c) Within 21 days after service of this Order by the Region, the Respondent will file with the Regional Director a sworn certification by a responsible Respondent official attesting to the steps that the Respondent has taken to comply with this Order.

Dated, Washington, D.C., October 15, 2020.

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Marvin E. Kaplan,                      Member

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William J. Emanuel,                      Member

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Lauren McFerran,                      Member

NATIONAL LABOR RELATIONS BOARD

## **EXHIBIT E**

**NOTICE TO EMPLOYEES  
POSTED BY ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD  
An Agency of the United States Government**

**PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER  
AND A CONSENT JUDGMENT OF ANY APPROPRIATE  
UNITED STATES COURT OF APPEALS**

**FEDERAL LAW GIVES YOU THE RIGHT TO:**

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

**United Steel, Paper and Forestry, Rubber Manufacturing, Energy, Allied Industrial and Service Workers International Union, Local 5668** (the Union) is the employees' representative in dealing with us regarding wages, hours and other working conditions of our employees in the following appropriate unit:

Those employees at our aluminum plant located at Ravenswood, West Virginia, as follows: all production and maintenance employees, but excluding executives, administrative and professional employees, office and clerical employees, guards, full-time first-aid and safety employees, foremen and any other supervisory employees with the authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees or effectively recommend such action.

**WE WILL NOT** fail or refuse to bargain in good faith with the Union as the exclusive collective-bargaining representative of our unit employees.

**WE WILL NOT** fail and refuse to provide the Union with information that is relevant and necessary to its role as your collective-bargaining representative.

**WE WILL NOT** unreasonably delay in providing the Union with information that is relevant and necessary to its role as your collective-bargaining representative

**WE WILL** provide, to the extent we have not done so already and such information exists, the Union with the information it sought in the requests it made on the following dates: July 18, 24, and 31, 2019; August 1, 2019, September 6, 2019, and January 15, 2020.

**WE WILL NOT** in any like or related manner interfere with, restrain or coerce employees in the exercise of the rights guaranteed them by Section 7 of the Act.

**CONSTELLIUM ROLLED PRODUCTS  
RAVENSWOOD LLC**

The Board's decision can be found at [www.nlr.gov/case/09-CA-225275](http://www.nlr.gov/case/09-CA-225275) or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half St., S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

